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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : Pedlow, Jr., et al.
Filed : 3/10/2004
Application No. : 10/797,840
Confirmation No. : 6433
Group Art Unit : 4157
Examiner : Stanley, Mark P.
Docket Number : SNY-T5715.02
Title : Distribution of Preferences, Provisioning and Entitlements in Clustered Distributed Entertainment Networks

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Applicant, Assignee or Reg. Representative: Jerry A. Miller, Reg. No. 30779

Signature: /Jerry A. Miller 30779/ Date: 5/27/2009

INTERVIEW SUMMARY

The undersigned spoke with Examiner Stanley and his supervisory Examiner Beliveau at approximately 5:00PM on May 26, 2009 regarding the present application. The substantive issues raised were as noted previously and are briefly as follows:

- The undersigned is unable to find a teaching in Giglio of "wherein the DHCP services use DHCP option 43 to define a scope of the subscriber site in which the scope is defined to be equal to a maximum number of potential peer terminals at the subscriber site"

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(emphasis added). The DHCP services of Giglio cannot be found by the undersigned to disclose that the pool is equal to the above definition with reference to the subscriber site. Multiple references to this feature are present in the claims.

- In response, Examiner Beliveau indicated that the claims could be read on an arrangement wherein the entire pool of IP addresses could be assigned to one subscriber site and suggested the language of claim 1 could be amended to remedy this by using language such as "equal to a subset of the maximum number of potential terminals residing at the subscriber site" or the like and by clarification of the location of the DHCP server. Applicants would be happy to clarify the language as such, but Examiner Beliveau indicated that such an amendment would prompt an advisory action and require a new search.
- The undersigned cannot find any indication in Mouko that the "including a number for the terminal wherein the number falls within the scope of the subscriber site" (emphasis added). The numbers used in Mouko are not explained as such and there is no enabling teaching to support the Office's position.
- This issue was not addressed at length in the interview, but no reason was advanced by Examiners Beliveau or Stanley to support the Office's position.

The undersigned indicated that he would need to discuss the interview with the assignee's managing attorney to determine whether or not to proceed to appeal, or if other steps were to be taken.

The undersigned additionally notes that many other distinctions exist between the cited art and the claims, but first wishes to resolve these and reserves the right to argue any of the points presented for the rejection of the dependent claims at a later date.

Respectfully submitted,
/Jerry A. Miller 30779/
Jerry A. Miller
Registration No. 30,779
Dated: 5/27/2009

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